

EAST WHITELAND TOWNSHIP
REGULAR MEETING
November 14, 2012

Virginia McMichael, Chair, called the meeting to order at 7:00 p.m. William Holmes, Member, Bareth Graeff, Township Solicitor, Terry Woodman, Township Manager, Chris Yeager, Police Lieutenant, William Steele, Public Works Director and Mary Lou Knight, Assistant Township Secretary, were present. John Mott, Vice Chair, was unable to attend the meeting. There were twenty (20) 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 October 16, 2012. Mr. Holmes seconded and the vote was unanimous.

ANNOUNCEMENTS

There were no announcements.

PUBLIC COMMENT

Andrew Green indicated he appreciated the work done by police department in his community (General Warren Village). He mentioned that more and more cars are parking on the Road, making it more difficult for cars to pass through. He suggested that the Township could send a notice that perhaps this could be a safety issue. He stated that 38 Faunstock Road appears to have been abandoned for some time and is somewhat of an eyesore. Mr. Holmes stated the Township is aware of this property and is trying to track down one of the owners. His property is across from 52 Faunstock which he describes as being somewhat blighted. He says that a nearby house for sale has been on the market for some time and he is concerned that this will affect the resale value of his house. Ms. McMichael responded that the Township will take a look at the home in question but the Township's hands are tied unless a particular Township code has been breached. She suggests that talking with the neighbor might bring results.

Jim McVeigh, 2 Village Way, General Warren Village, expressed concern that the property under construction is going forward without any notification to the residents. He said that in 2008 the property was slated for townhomes and at that time, the County Planning Commission informed the Township that their permit was missing a wildlife study and traffic study. He also learned that permits may be overridden by the Board of Supervisors and asked for clarification. Ms. McMichael explained that both the County and Township Planning Commissions are advisory only and make recommendations. The Board does not vote on each permit. When the Board votes an approval on a project plan, which encompasses permits, it does so contingent on compliance with any outstanding open items as listed in the Township

Engineer's letter. In response to Mr. McVeigh, the Chair assured him that the Board is not trying to withhold information from the residents. Other than zoning changes where residents are informed by mail, information can be accessed on the Township website where all Board and Commission Meeting Minutes are posted. Mr. McVeigh suggested that public postings may be advantageous. Discussion ensued regarding zoning of the property. In 2008 there would have had to be a zoning change to accommodate townhouses to which the neighbors objected because of added traffic. They preferred an office building. Mr. Holmes suggested that Ms. Woodman look at the 2008 file to answer some of Mr. McVey's questions.

Walter Lynn, 346 N. Warren Avenue, has seen the plans for the storm drain at Warren and Old Lancaster Avenues and asked when the work will be done. Mr. Steele is in process of getting prices for materials and manpower which will require the bidding process. As road work cannot be done in the winter months, he anticipates work will be done in the spring of 2013. Mr. Lynn expressed his concern over what he described as the office space/storage facility under construction. His understanding was that the mixed use designation required a new application. Ms. McMichael explained that what was being proposed was an office building with storage units proposed for demonstration only. Ms. Woodman went on to say that the building's extra space would be used for office space, over time. Mr. Lynn went on to say that the owner, Mr. Kahn, promised residents that a meeting would be held in early November regarding this project. The property was cleared on October 25th and no meeting was held. He went on to say the residents were very upset by the way things were being done.

Radha Singh, 13 Old Lancaster Road, told the Board that his property abuts the property under construction on three sides. He said that the surveyors were using the incorrect property line plan. They were awakened three days (Saturday, Sunday and Veterans Day) at 7:30 a.m. by bulldozers, and he is very unhappy about the drainage from the new property as it pertains to his property. Ms. McMichael stated that a DEP permit has been issued which looks at storm water issues. Mr. Reed will provide the geothermal studies to Mr. Singh that show when studies were done, who looked at the studies, what permits were issued, and when they were issued. She suggested that he then have an independent person examine the documents. Discussion continued. Ms. Woodman said a subdivision plan to change the title description of Mr. Singh's property was never submitted to the Township. Mr. Singh handed Ms. Woodman a letter with an amended Title Description attached.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND TOWNSHIP OFFICIALS

Ms. McMichael recognized the Public Works Department for their work before, during and after Hurricane Sandy.

ACCEPTANCE OF THE TREASURER'S REPORT

Ms. Woodman summarized the Treasurer's Report. Ms. McMichael made a motion to accept the Treasurer's Report dated October 31, 2012. Mr. Holmes seconded and the vote was unanimous. The Treasurer's Report balance totals as of October 31, 2012 are as follows:

General Fund	\$ 4,186,119.22
Street Light Fund	15,936.10
Sewer Fund	4,664,843.07
Sewer Fund Reserve	3,761,455.65
Sewer Construction Fund	77.08
Park Development Fund	324,351.24
Capital Improvement Fund	2,215,876.54
Dare Fund	2,721.91
State Fund	109.82

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Ms. McMichael made a motion for approval of General Fund Voucher No. 2012-11, Sewer Fund Voucher No. 2012-11S, and Payroll Fund Voucher Nos. 2012-22 and 2012-23 which included two check runs. Mr. Holmes seconded. The vote was unanimous.

REVIEW OF THE 2013 PRELIMINARY BUDGET

Ms. McMichael pointed out that Ms. Woodman, Mr. Lokken and staff did an exceptional job with the Preliminary 2013 Budget. The Township has good news that includes development projects on the books from Trammel Crow Company at the Atwater development. Shire and Endo Pharmaceuticals are coming in. The proposed budget is very strong and includes moving \$1,000,000 into a special trust fund to be used to fund post-retirement benefits. Overall, the Preliminary 2013 budget figure is \$10,470,905. Sufficient revenue will be coming in to support this budget. Real estate taxes will not be raised. The Chair brought up the topic of overdue sewer bills. Ms. Woodman said the proposed budget shows \$2,000,000 being transferred from the general sewer fund account into the sewer fund reserve account. The Valley Sewer Authority expansion is scheduled for next year and the Township's share of that project is \$9,000,000. When funds are needed, the Township will be issuing a bond to raise the necessary capital. The cost of the construction of the new sanitary sewage pump station at Mill Lane is \$3,200,000. \$1,100,000 is set aside in the capital improvement fund for design and construction of a new public works building planned for property situated behind and west of the Township building. Since the new pump station will have a new generator, staff is reviewing the potential to move the existing generator to the Municipal building, and \$30,000 is allocated for construction of a pad and connecting the generator to the building. The Municipal building will continue to be updated. A surplus is expected this year which will help in the future if there is another economic downturn. Ms. Woodman referenced the Lockwood Chase neighborhood (24 homes in Lockwood Chase and 4 in Mill Valley) where sewage flows into East Goshen Township for treatment. The bills from East Goshen have risen to the point where monies received from those

residents are not sufficient to reimburse East Whiteland for what we have to pay East Goshen. Ms. Woodman asked the Board for permission to capture the true cost of the sewer treatment for these customers. The Board was in favor of phasing in the increase over three years. Ms. Woodman called the Board's attention to an aging report showing property owners who owe \$1,000 or more on their sewer bills. The Township Manager outlined the costs involved in placing liens on the properties. Mr. Steele summarized the process involved. Discussion ensued. The consensus of the Board members was to direct Ms. Woodman to research collection agencies that the Township could contract with to reduce the amount outstanding in the Sewer Revenue account.

At the conclusion of discussion, Ms. McMichael made a motion to approve the 2013 Preliminary Budget. Mr. Holmes seconded and the vote was unanimous. Ms. McMichael and Mr. Holmes thanked Mr. Lokken for a job well done.

PLANS

- a. O'Neill Properties/Worthington - Revised Master Plan and Revised Final Land Development Plan – Lou Colagreco was present representing the applicant. He explained the changes to the original plan, i.e., not as much density, not as much structured parking, and reduced traffic counts. The application contains waiver requests regarding the species and total number of trees. Mr. Colagreco discussed the reason for this waiver, i.e., some of the trees on the Township list are subject to disease and O'Neill Properties would like to present their list of alternatives. The amount of trees to be planted is approximately 1,700. Ms. Woodman indicated that PennDOT is requiring applicants to come back after work is done just to make sure everything is working properly. Mr. Colagreco is aware of this. Discussion ensued. Ms. McMichael made a motion to approve O'Neill Properties/Worthington Revised Master Plan and Revised Final Land Development Plan showing revisions to a previously approved Master Plan and Land Development Plan for the Uptown Worthington development proposed for the land located south of Matthews Road and east of Route 29 (Morehall Road) in a ROC/R Regionally Oriented Commercial/Residential Zoning District, contingent upon compliance with ARRO's letter dated November 14, 2012 and granting of waivers from Section 175-30.D and Section 175-41.D(3) both waivers pertain to species of proposed project trees. Mr. Holmes seconded and the vote was unanimous.

- b. Willinghouse Preserve – Ross Hellings was present representing the applicant. He explained that Willinghouse Preserve is requesting a side yard setback reduction on lots 4 & 9 because the widths of the sold homes are too wide to fit within the current side yard setback. He indicated that the homeowners approve of the setback. Discussion ensued. Mr. Holmes made a motion to grant Willinghouse Preserve a side yard setback reduction on Lots 4 & 9 per section 200-201.D(2) of the August 2005 Zoning Ordinance. Ms. McMichael seconded and the vote was unanimous.

East Whiteland Volunteer Fire Association

Chief Hurley gave the East Whiteland Volunteer Association report. Chief Hurley described the work done by the Fire Association during Hurricane Sandy. Twenty volunteers presented at the Fire House for this emergency. Meals were provided to police and those working on the road crew. Cots were available.

OLD BUSINESS

- a. Status of discussions with Charlestown Township concerning Fire Company cost sharing – Mr. Holmes indicated that talks continue with Charlestown Township concerning the amount Charlestown will contribute for their share of Fire Company costs when response is needed in their Township. An amount has not yet been agreed upon. Discussions will continue.

- b. Affirmation of Declaration of Disaster Emergency – Ms. Woodman summarized the need and scope of the Declaration. It grants Township officials the authority to act as necessary to meet the exigencies of an emergency, without regard to those time-consuming procedures and formalities normally prescribed by law; for instance, purchase of materials and hiring of contractors without going through the bidding process. Ms. McMichael made a motion to affirm the Declaration of Disaster Emergency dated October 29, 2012, Mr. Holmes seconded and the vote was unanimous.

NEW BUSINESS

- a. Award Bids for Used Township Vehicles and Equipment – Bid notice was advertised in the *Daily Local News* on October 16 and October 23, 2012. Discussion ensued. Mr. Holmes made a motion to award bids for used Township vehicles and equipment per Mr. Steele's memo dated November 7, 2012 which shall become part of the Minutes of the Meeting. Ms. McMichael seconded. The vote was unanimous.

- b. Public Hearing – Ms. Woodman indicated that the Devon Automotive Group is seeking a zoning change on the property currently occupied by the movie theater at 593 West Lancaster Avenue. Ms. McMichael made a motion to authorize a public hearing on December 12, 2012 to consider an application filed by Devon Automotive Group, LLC to change the Zoning designation for three parcels on Lancaster Avenue from the Village Mixed Use (VMX) to Frontage Commercial (FC) Zoning classification. Mr. Holmes seconded and the vote was unanimous.

- c. Advertisement of the Township's Intent to Receive Bids - Ms. McMichael made a motion to advertise the Township's Intent to Receive Bids on December 5, 2012 for the purchase of materials and rental of equipment related to Township road maintenance Mr. Holmes seconded and the vote was unanimous.

- d. Mill Lane Sanitary Sewer Pumping Station Change Order – Mr. Steele has requested a change order in the amount of \$5,365 for work being done on the new Mill Lane Sanitary Sewer Pumping Station. Discussion ensued. Ms. McMichael made a motion to approve the change order in the amount of \$5,364.85 as outlined in Michael F. Ronca & Sons, Inc. letter dated October 26, 2012. Mr. Holmes seconded and the vote was unanimous.

There being no further business, the meeting adjourned at 9:00 p.m.

Respectfully submitted,

Mary Lou Knight
Assistant Township Secretary