

EAST WHITELAND TOWNSHIP  
REGULAR MEETING  
October 9, 2013

Virginia McMichael, Chair, called the meeting to order at 7:05 p.m. John Mott, Vice Chair, William Holmes, Member, William Lincke, Township Solicitor, Terry Woodman, Township Manager, Eugene Dooley, Police Chief, William Steele, Public Works Director and Maureen Perri, Township Secretary, were present. There were forty (40) people in the audience at the onset of the meeting.

Everyone recited the pledge of allegiance.

REGULAR MEETING

Mr. Mott made a motion to approve the minutes of the Regular Meeting of September 11, 2013. Mr. Holmes the motion was seconded and the vote was unanimous.

INTRODUCTION OF NEW TOWNSHIP EMPLOYEES

Chief Dooley introduced the newly appointed full-time officers who are filling department vacancies resulting from retirements. They are Patrolmen: Thomas Ralph, Christopher Stymiest and James Bilotta all of whom have been working at the Township as police officers on a part-time basis.

Ms. Woodman introduced Catherine Palmer our new Assistant Finance Director. Ms Palmer bring with her over 30 years experience in accounting and finance.

ANNOUNCEMENTS

- a. A public hearing previously scheduled to be held this evening to consider amendments to Section 200-89.1 of the Zoning Ordinance establishing standards for LED signage in the ROC/R - Regionally Oriented Commercial/Residential Zoning District **has been postponed indefinitely**.
- a. ROAD CLOSURE: From mid-September through December, Mill Lane from Rt. 401 to Sidley Road will be closed for the construction of Phase 1 of the Sidley Road Sewer Replacement Project.
- b. FALL 2013 BULK TRASH PICK-UP:  
**October 12th** - Drop off at Public Works Garage between 7 am - 2 pm  
All residents who would like to dispose of items containing Freon, (i.e. - refrigerator, freezer, air conditioner and dehumidifier) must call the Township prior to Tuesday, Oct. 8<sup>th</sup> at 610-648-0600 ext. 210.

The Township is no longer able to accept computers or televisions. Contact Chester County Solid Waste Authority at 610-273-3771 x-228 or [www.ChesterCountyswa.org](http://www.ChesterCountyswa.org) for proper disposal. For additional information, about the type of materials that will be collected please check the Township website.

- c. The next HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT will be Saturday, **October 12<sup>th</sup>** at the Government Services Center, 601 Westtown Road, West Chester, PA 19380. **Electronic waste will be accepted at this collection.** For additional information about the type of materials that will be collected please check the [www.ChesterCountyswa.org](http://www.ChesterCountyswa.org) website.
- d. The October Planning Commission meeting has been cancelled. The next meeting of the Commission will be Tuesday, November 26<sup>th</sup>.

### PUBLIC COMMENT

Ms. McMichael gave an overview of the development approvals granted to the property now being developed by CubeSmart property since the beginning of her tenure as a Supervisor. She said the presentation given by representative of CubeSmart indicated that this location would be their corporate headquarters. The firm has recently become a public company and they are growing but do not currently require the entire building space for offices. They said their intention was to build a demonstration storage facility occupying half of the building, 40,000 sq. ft. at the location of Old Lincoln and Old Lancaster.

Ms. McMichael stated that prior to this evening's meeting many emails have been circulated concerning this property. In an effort to bring everyone up to date, she felt that this overview would be the most efficient way to respond to all. Ms. McMichael read an email from Sharon Conner relative to issues which she felt affects the General Warren Village neighborhood. This email seemed to list questions that most of the other emails raised. They are as follows:

1. Widening Village Way with a cut through to Malin Road through Bishop Tube – There are no plans for such a road;
2. Car traffic through the tunnel near the General Warren Inn – Only a pedestrian bike path had been discussed for this location;
3. Traffic Light at North Warren Avenue – No, because of the expense of a light and the level of traffic does not warrant a traffic signal;
4. Road from Malvern Borough extending Penn Avenue to Malin Road – The Township has no interest in extending this road;
5. Condos on North Warren Avenue at Spring Road – According to Malvern Borough no formal plan has been submitted;
6. Auctioning the Bishop Tube Site – The property was scheduled for Sheriff Sale but the sale has been postponed. There many impediments to the redevelopment of this property such as the underpass, the soil and water contamination and the adjacent tank farm;

7. Lighted street sign at Old Lancaster Avenue – The township traffic engineer developed specifications for signalized intersections and these specifications included the illuminated street name signs. After receiving complaints about the signs, Ms. Woodman asked the Traffic Engineer if PennDot requires the signs to be illuminated. The answer is no. Ms. McMichael made a motion to have the illuminated signs removed and replaced with a reflective signs. The motion was seconded by John Mott and the vote was unanimous.

Jeannie Leaman – 42 Old Lancaster Road – felt that the lights street name signs on the traffic signals and/or reflective signs are an infringement in the neighborhood. The traffic engineer will be directed to review this issue. She also said the internal lighting of the building and site landscaping are a concern. She questioned whether the lighting of their parking lot is up to code because of the brightness. She was also advised that the sidewalk will not be completed further by the developer due to the contention.

Andrea Schran – 66 Fahnestock Road –inquired when the ordinance hearing for LED signage in the ROC/R district will be rescheduled and how to be advised of the hearing date. She was advised that the hearing will be advertised and posted on the agenda a month in advance of a hearing.

Also, Ms. Schran asked what action the Board was taking against the CubeSmart property relative to the rental of storage units. The Solicitor advised that a thorough review is being done of the entire development application. There has been dialogue between the Township Solicitor and the developer’s solicitor.

Jeffrey Lee – 32 Old Lancaster Road – feels that the neighbors are not being heard concerning the signage and lighting in their neighborhood. He was advised that the Township Solicitor will present a Findings of Fact and Conclusions of Law stating the Supervisors’ opposition to the signage requested by CubeSmart before the Zoning Hearing Board. He is also concerned about contractors working late into the night within the building.

Jim McVeigh – 2 Village Way - questioned the CubeSmart advertising of this location as a retail location. He stated that this should not be permitted in a residential area. The solicitor is thoroughly reviewing the application and is gathering evidence to represent the Board.

Peggy Miros – 27 Fahnestock Road – stated that surveyors are measuring the area at Spring Road and Warren Avenue. She is concerned about the traffic, water runoff and business expansion of the Malvern Borough. Ms. Woodman will contact the Borough relative to this activity.

Sharon Connor – 95 Village Way – asked about the right turn lane off of Route 30 onto Old Lincoln. She feels that the traffic is being hindered because of the lack of timing of traffic signals. She stated that the contractors are parking by the stop sign on Old Lancaster Avenue which hinders traffic too. A traffic officer will be sent to investigate.

Joan Smallwood – 51 Village Way – mentioned that there are Borough residents concerned about the traffic and development.

Terry McVeigh – 2 Village Way – is concerned about townhouses in the Borough and forcing the opening of the tunnel and the impact on the Village. Supervisors stated again that they will not agree to have the tunnel opened for vehicular traffic.

Paige Harker – 44 Village Way – stated her fears of the ingress/egress to the CubeSmart building onto Old Lancaster. She was advised that the property frontage along Old Lincoln from Rt. 30 to Old Lancaster was too short for an all directional intersection.

Malvern Meetinghouse Restaurant property. Andrew Laconi – 10 Coffman Street – expressed his dismay with the deplorable conditions of the former Malvern Meeting House restaurant site. The building is beyond repair and he said that homeless are using the building for shelter. Since the owner has failed to secure the property the Township could begin condemnation proceeding. Ms. McMichael made a motion to authorize the Solicitor to initiate the condemnation procedures. The motion was seconded by John Mott and the vote was unanimous.

A recess was called at 8:40 pm. The meeting was reconvened at 8:55 pm.

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

Ms. Woodman advised the Board that the State Transportation Commission reopened its acceptance of applications for road projects. The following requests have been submitted for their consideration: 1) a right hand turn lane onto Planebrook Road from westbound Rt 30; 2) a right turn lane from eastbound Rt 30 on to southbound Rt 352; and 3) reconstruction of the intersection of Rt 352 and King Rd. She mentioned the Township had participated in a feasibility study for this project in the past.

Ms. Woodman advised the Board about a notice from FEMA relative to a stream in Atwater being included in a revision to the FEMA FIRM map. She said that recently the Township Engineer analyzed the flooding potential of the property where the new firehouse will be built as well as the property for the public works building. Current FIRM maps show floodplain on or near these sites. Because of the analysis, an application has been filed with FEMA to adjust the FIRM maps in these locations. The Friends of the East Whiteland Fire and Ambulance Association have estimated that rock removal from the site will cost about \$1.7 million dollars. Bernardon Architects the firm working on the new Public Works facility has been directed to see if we can use the some of this material for the public works site.

Ms. Woodman advised that a bond issue should be anticipated in 2014 for the new Public Work facility. She suggested the Board also include funding for the development of the Swanenburg park to the bond issue.

Bill Steele gave an update on sewer projects. The Mill Lane pump station has been completed and is in operation. Phase 1 of the Sidley Road sewer replacement is currently on schedule and the new pipe has been installed under Rt. 202. Phase 2 of the project is out for bid and will cover the area from Lapp Road to Sidley Road. This Phase is scheduled to begin in January 2014.

#### ACCEPTANCE OF THE TREASURER'S REPORT

Ms. Woodman summarized the Treasurer's Report. Mr. Holmes made a motion to accept the Treasurer's Report dated August 31, 2013. Mr. Mott seconded the motion and the vote was unanimous. The Treasurer's Report balance totals as of September 30, 2013 are as follows:

General Fund	\$ 5,694,921.46
Street Light Fund	20,012.16
Sewer Fund	5,216,230.51
Sewer Fund Reserve	5,474,510.97
Park Development Fund	324,437.33
Capital Improvement Fund	2,300,648.23
Dare Fund	592.25
State Fund	121,145.98

#### APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Mr. Mott made a motion to approve the General Fund Vouchers No. 2013-10G, Sewer Fund Voucher No. 2013-10S, and Payroll Fund Vouchers No. 2013-20, and 2013-21 which included two check runs. Mr. Holmes seconded the motion and the vote was unanimous.

#### OLD BUSINESS

A traffic study was conducted on South Bacton Hill Road. The study did not indicate the need for speed humps in that area. Officer Wilson has asked Mr. Steele to post more speed limit signs on the road.

#### NEW BUSINESS

- a. Discussion of illuminated street signs at the intersection of Old Lancaster and Weybridge Roads and Old Lincoln Highway. This item was discussed earlier under Public Comment.
- b. Lisa Coleman – 12 Willing Way – is petitioning to remove eight (8) trees from the Deed restricted Conservation Area on her property because of a safety concern. The Army Corp of Engineers has no issue with this request. Mr. Mott made a motion to grant a waiver from the Declaration of Covenants of Willinghouse Preserve to allow the owner

- to remove trees from a wetland buffer identified as a “Conservation Area” on the approved plan. Mr. Holmes seconded the motion and the vote was unanimous.
- c. Motion to authorize the advertisement of a hearing to be held during the November 13, 2013 Board meeting to consider the adoption of an Ordinance creating an OPEB Trust Agreement. Mr. Holmes made a motion to advertise the OPEB hearing scheduled for November, 2013. The motion was seconded by Mr. Mott and the vote was unanimous.
  - d. Motion to authorize the transfer of \$2,000,000 from the Sewer Fund to the Sewer Fund Reserve Account. This money will be used to pay the banks for the bond loan. The motion was made by Ms. McMichael to authorize the transfer of \$2,000,000 from the Sewer Fund to the Sewer Fund Reserve. The motion was seconded by Mr. Holmes and the vote was unanimous.

Hearing no additional business, the meeting was adjourned at 9:35 pm.

Respectfully submitted

Maureen G. Perri  
Township Secretary