

EAST WHITELAND TOWNSHIP
REGULAR MEETING
December 11, 2013

Virginia McMichael, Chair, called the meeting to order at 7:12 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 ten (10) people in the audience at the onset of the meeting.

Everyone recited the pledge of allegiance.

REGULAR MEETING

Mr. Holmes made a motion to approve the minutes of the Regular Meeting of November 13, 2013. Mr. Mott seconded the motion and the vote was unanimous.

ANNOUNCEMENTS

The Board of Supervisors will hold their 2014 Organizational Meeting on Monday, January 6th at 7pm in the Township Building. The Business Meeting will be held on Wednesday, January 15th at 7:00 p.m.

The construction of Phase 2 of the Sidley Road sanitary sewer replacement will cause the closure of Sidley Road from Lapp Road to Moores Road between 7:30 am and 4:30 pm.

The Township Building will be closed the following days: Tuesday afternoon, December 24th, Wednesday, December 25th, Tuesday afternoon December 31th and Wednesday, January 1, 2014.

The Board of Supervisors has retained the services of Barbacane Thornton to perform an audit of the Township's accounts for the fiscal year 2013.

PUBLIC COMMENT

Howard Issacson, 46 Old Lancaster Road, expressed his dismay with the change to the stripping the center line on Old Lancaster Avenue due to the CubeSmart installation of the sidewalk there. Mr. Holmes stated that he measured the distance to the center line of the road

and didn't see where moving it would impact the general traffic. Mr. Holmes stated that he will address this issue with Mr. Foster from CubeSmart at a scheduled meeting. Ms. Woodman said that a meeting was held with the Township engineers and engineers representing CubeSmart to address the amount of guiderail necessary along Old Lancaster Ave. to improve safety.

Walter Lynn – 346 North Warren Avenue –inquired about the Board's appeal of the Zoning Hearing Board's decision for the CubeSmart signage. Mr. Lincke, Township Solicitor, advised that he will be representing the Board of Supervisors relative to this development.

Jeannie Leaman – 42 Old Lancaster Road – asked when the appeal by the Board of Supervisors would be filed. The Solicitor stated momentarily.

REPORTS, BOARDS AND COMMISSIONS

Ms. Woodman stated the Environmental Advisory Council chairperson will be stepping down. Ms. Woodman reminded the Board that this is a position where they appoint the chairperson. Also, she advised that the Park Board is requesting to hold their meetings every other month as opposed to monthly.

Ms. Woodman mentioned that a settlement check was received for the damages done to our building at Mill Lane due to the excavation last year for the pump station project. Repairs to the building are estimated to be \$41,965.

Ms. Woodman mentioned that Valley Forge Sewer Authority signed an amended agreement to allow Charlestown Township's sewer to flow through our pipes, however, the agreement has not been seen by our Solicitor. In addition, Valley Forge Sewer Authority is in arrears for their contribution to the reconstruction of the Mill Lane pump station and for Phase 1 of the Sidley Road sanitary sewer collection system. The Solicitor for the VFSA said they have a check for \$1.6 million for us that will be delivered upon the signing of the Agreement.

STATUS OF PUBLIC WORKS FACILITY

Ms. Woodman advised the Board that the Township will need relief from Zoning for the building and parking setbacks due to the zoning requirement that primary structures be 100 feet from any residential zoning district. The dividing line between the residential zoning district and the Institutional zoning district is the center line of the Chester Valley Trail. The Public Works buildings will be 40 feet from the trail. Facing the Trail will be an 8 foot high wall that forms the rear of the structures. The doors will be on the opposite side of the building and facing a courtyard/parking area. The buildings have a sloped roof which should help block visibility into the yard. The Township will seek comments from the Planning Commission and then proceed to the Zoning Hearing Board. Ms. McMichael made a motion to have the Township Solicitor represent the Township at the Zoning Hearing Board in the application for relief needed from

Zoning to allow the project to go forward. The motion was seconded by John Mott and vote was unanimous.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND TOWNSHIP OFFICIALS

Mr. Steele provided an update on Phase 2 of the Sidley Road sewer main project and mentioned that the excavation will begin on December 12th. In addition, he stated that the Mill Lane pump station project is 99% complete.

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 November 30, 2013. Mr. Mott seconded the motion and the vote was unanimous. The Treasurer's Report balance totals as of November 30, 2013 are as follows:

General Fund	\$ 5,494,379.42
Street Light Fund	18,838.02
Sewer Fund	2,941,977.09
Sewer Fund Reserve	6,963,843.74
Park Development Fund	324,454.69
Capital Improvement Fund	2,277,015.87
Dare Fund	305.57
State Fund	102.82

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Mr. Mott made a motion to approve the General Fund Vouchers No. 2013-12G, Sewer Fund Voucher No. 2013-12S, and Payroll Fund Vouchers No. 2013-24, and 2013-25 which included two check runs. Mr. Holmes seconded the motion and the vote was unanimous.

OLD BUSINESS

Status of Malvern Meetinghouse property – In response to a question, Mr. Lincke advised Mr. Laconi, 12 Coffman Street, that the title of the property is unclear and that the bank has not accepted a Deed in Lieu of Foreclosure. The bank will file for foreclosure which should be scheduled for a hearing in January, 2014. However, the bank is required to do an appraisal before they can proceed to foreclosure. Mr. Lincke felt that it would be more productive to file against the bank once the title is clear. Mr. & Mrs. Laconi expressed their frustration with the process of cleaning up this eyesore. Discussion ensued.

PLANS

Ms. Yarnoff presented the Amended Final Land Development Plan for the property owned by Liberty Property and known as 3 Quarry Ridge (425 Old Morehall Road) in an O/BP Office/Business Park Zoning District. She stated that the applicant went before the Zoning Hearing Board for a variance to increase the height of the parking garage to accommodate two additional decks. The variance requested was granted by the Zoning Hearing Board. The additional parking is needed to support the application for a 50,000 sq. ft. addition to the office building. Mr. Gary Lorgus, Liberty Property, stated that the request for this expansion was made during the lease negotiations with Vanguard. Mr. Lorgus advised that the impervious surface would be reduced on the site, if the building expansion were to be built.

Mr. Mott made a motion to recommend the approval of the Preliminary/Final Land Development Plan submitted by Liberty Property Trust for a 50,000 square foot addition and the addition of two levels to the parking structure to the previously approved 3 Quarry Ridge (425 Old Morehall Road) land development plan. The approval is subject to the conditions in Arro's letter dated November 25th, and McMahon Associates' letters, dated November 22nd and December 6, 2013 except for items 6 and 7 which are to be disregarded. Also with the agreement of the developer, that they move the pedestrian crosswalks to the intersection of West Liberty Boulevard and Old Morehall Road. The motion was seconded by Virginia McMichael and the vote was unanimous. Mr. Holmes recused himself from this land development approval.

The land development plan for C. Charles Burch Preliminary/Final Plan at 380 Lapp Road was tabled.

Mr. Camens presented the plan for Immaculata University's Preliminary/Final Land Development application to build five new student housing buildings totaling 48,960 sq. ft. Their redesign will allow for 150 students in the three buildings. The housing will be built in two phases. As a result of a discussion with Mr. Battin relative to emergency access, Immaculata has agreed to widen the sidewalk during this first Phase to accommodate emergency vehicles. In Phase 2, a service road will be constructed to the rear of the units. They stated that they are able to comply with the items in Arro's letter dated, December 3, 2013.

Mr. Holmes made a motion to approve a Preliminary/Final Land Development Plan for Immaculata University, for 5 new Student Housing buildings that will house 150 students and will total 48,960 sq. ft, and be built over two phases in the north west quadrant of the campus located on the north side of King Road, east of Ravine Road. The property is in an INS – Institutional Zoning District. Mr. Mott seconded the motion and the vote was unanimous.

2014 FINAL BUDGET

Ms. Woodman reviewed the changes to the Preliminary Budget stating that there were additional Revenues in Real Estate Tax monies based on an updated assessed valuation of \$3,925. Also, there is an additional expense for consulting expenses to update the Comprehensive Plan in the amount of (\$50,000). The Township will be applying for a grant to reimburse Township for this cost.

In the Capital Improvement Fund, \$100,000 will be set aside for additional expenses to investigate issues related a Stormwater Remediation Study.

Ms. Woodman indicated that the Resolution represents a summary of the budget document appropriating specific funds for Budget Year 2014. For Revenues and Expenditures for the fiscal year 2014 the following amounts are hereby appropriated, which amounts are more fully itemized in the Budget.

<u>Beginning Fund Balance</u>	<u>Revenue and Transfers In</u>	<u>Expenditures and Transfers Out</u>	<u>Ending Balance</u>
General Fund (01)			
\$4,253,706	\$9,911,223	\$(10,144,846)	\$4,256,383
Special Tax Fund for Street Lighting (02)			
18,031	10,733	(7,700)	21,064
Sewer Fund (08)			
2,740,500	2,845,124	(3,094,802)	2,490,823
Sewer Fund Reserve (09)			
5,998,270	6,000	(1,880,440)	4,123,830
Sewer Construction Fund (18)			
0	-	-	0
Park Development Fund (30)			
194,433	300	(110,000)	84,733
Capital Improvement Fund (31)			
2,249,498	6,005,500	(3,209,410)	5,195,588
Dare Fund (32)			
0	-	-	0
State Fund (35)			
45	236,329	(236,300)	74

Mr. Mott made a motion to adopt Resolution No. 15-2013 Appropriation Resolution for the fiscal year 2014. Mr. Holmes seconded the motion and the vote was unanimous.

Mr. Holmes made a motion to adopt Resolution No. 16-2013 Transfer Tax Authorization Resolution to collect realty transfer tax of ½ of 1% for the fiscal year 2014. Mr. Mott seconded the motion and the vote was unanimous.

Mr. Mott made a motion to adopt Resolution No. 17-2013 for fiscal year 2014 Tax Levy rate for real estate in the amount of 0.445 mills which represents 44.5 cents on each one thousand dollars of assessed valuation. Mr. Holmes seconded the motion and the vote was unanimous.

NEW BUSINESS

Mr. Steele reviewed the bid for Crushed Stone Materials. There was only one bidder for these materials and that was Glasgow, Inc. as stated in his memorandum of December 5, 2013. Also, he reviewed the bid for Equipment Rental. Mancini Construction was the low bidder on all items except the milling machine. Mr. Holmes made a motion to award the bid for Crushed Stone Materials to Glasgow, Inc. per his memorandum of December 5th which is attached hereto.

Mr. Holmes made a motion to award the bid for Equipment Rental to Mancini Construction except for the Milling Machine which should be awarded to S. A. Macanga per Mr. Steele's memorandum of December 4th. A copy of which is attached hereto. The motion was seconded by Mr. Mott and the vote was unanimous.

Ms. Woodman advised that the Request for Proposal for an "Owner's Representative" should be solicited from the firms mentioned in Bernardon Haber Holloway memorandum of November 19th to oversee the Public Works facility contractors. Ms. McMichael made a motion to approve the motion to solicit architectural firms for an RFP of an Owner's Representative for this project. Mr. Mott seconded the motion and the vote was approved unanimously.

Ms. Woodman advised that the Board needs to take official action when making changes to the Municipal Deposit Resolution for First Niagara Bank due to the removal of George Lokken's name and the addition of Catherine Palmer's name on the account. Ms. McMichael made a motion to approve the adoption of the Municipal Deposit Resolution. Mr. Mott seconded the motion and the vote was unanimous.

Ms. Woodman informed the Board that they were given a list of Boards and Commission members with the term expirations for their review. She also advised that one new application has been received for a position on the Park & Recreation Board. No action is required at this time.

A recess was called at 8:35 pm.

PUBLIC HEARING

Mr. Lincke, Township Solicitor, along with a tax attorney, has developed an Ordinance allowing the Township to establish a trust agreement for the purpose of funding "Other Post-Employment Benefits (OPEB)". An amount of \$1 million has been set aside in a separate account to cover these post retirement benefits. A member of the Board will be a liaison to this Trust which will oversee the account. Discussion ensued.

The hearing was closed at 8:42 pm

RECONVENING THE REGULAR MEETING

The regular meeting was reconvened at 8:43 pm.

A motion was made by Mr. Holmes to adopt Ordinance 249-2013 establishing a trust agreement for the purpose of developing an account for "Other Post Employment Benefits." The motion was seconded by Mr. Mott and the vote was unanimous.

Ms. Woodman recommends to the Board the promotion of Catherine Palmer to Finance Director. Mr. Mott seconded the motion and the vote was unanimous.

The meeting adjourned at 8:48 pm.

Respectfully submitted

Maureen G. Perri
Township Secretary