

EAST WHITELAND TOWNSHIP
REGULAR MEETING
January 15, 2014

William Holmes, Chair, called the meeting to order at 7:00 p.m. John Mott, Vice Chair, Virginia McMichael Member, Bill Lincke, Township Solicitor, Terry Woodman, Township Manager, Eugene Dooley, Police Chief, William Steele, Public Works Director, Cathy Palmer, Finance Director and Maureen Perri, Township Secretary were present. There were forty (40) people in the audience at the start of the meeting.

APPROVAL OF MINUTES

Mr. Mott made a motion to approve the Minutes of the Regular Meeting of December 11, 2013. Ms. McMichael seconded and the vote was unanimous.

Correction to the Minutes of January 6th: The appointment of a representative to the East Whiteland Fire Company should read: Motion made by Mr. Holmes to nominate Mr. Mott... Ms. McMichael made a motion to approve the Minutes of January 6, 2014 as amended. Mr. Mott seconded and the vote was unanimous.

ANNOUNCEMENTS

Mr. Holmes announced the following:

- The closure of Sidley Road between 7:30 a.m. to 4:30 p.m. from Lapp Rd. to Moores Road will continue through this week for construction of Phase 2 of the sanitary sewer replacement. Beginning next week Sidley Road will be closed between Moores Road and Flat Road between 7:30 am and 4:30 pm.
- The Township Building will be closed the Monday, January 20th in recognition of Martin Luther King Day.
- Catherine Palmer has been promoted to Finance Director

Ms. McMichael announced that in the next few months she will be moving out of the Township and when she does she will step down as Supervisor. She said folks interested in serving as a Supervisor should complete and send in an application.

SWEARING IN OF NEW SERGEANTS AND PART-TIME POLICE OFFICERS

Chief Dooley announced that Officer Keri De La Cruz is being promoted to Sergeant after working for the Township for 13 years.

Chief Dooley introduced Sian Keating who has been hired as a new part-time officer.

Chief Dooley introduced Jeremy O'Neill, a former Army veteran, who has been hired as a new part-time officer.

Ken Battin, Fire Marshal, announced the promotion three full time firefighters to the rank of Sergeant. He said that now each shift of the Firefighters will have a Sergeant. Promoted are: Loren Nafzinger, Calvin Renfroe and Michael Risell. The promotions are effective as of January 31, 2014.

PUBLIC COMMENT

Jeannie Leaman – 42 Old Lancaster Road – questioned what the zoning classification is for the CubeSmart building at Old Lancaster. Mr. Lincke mentioned that at the time of filing the Land Development Plan the zoning classification was PO2. Mr. Lincke stated that the storage units were determined to be an accessory use under that zoning. Ms. Woodman, as Zoning Officer, explained her reasoning for considering the units as an accessory use. She also stated that many office buildings have such ancillary items which a resident may consider to be retail. Discussion ensued.

Walter Lynn – 346 North Warren Avenue – expressed his dismay about the CubeSmart building and mentioned the misinformation which exists within the community. Again, he feels that the lighting is still the major issue. Discussion ensued.

Bob Milton – asked what the Supervisors plan is for future development issues when applicants make submissions. Mr. Lincke stated that CubeSmart management is to return with a plan of how they will diminish the impact on the resident. Mr. Holmes feels that our current accessory uses are broad and will need to be addressed. Discussion ensued.

Peggy Miros – 27 Fahnestock Road – feels that the Board needs to consider the impact on the community when approving plans. Ms. McMichael stated that the state laws give broad parameters to private enterprise. Discussion ensued.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND
TOWNSHIP OFFICIALS

Ken Hurley, Fire Chief advised that there were 125 responses made by the Fire Company during the month of January.

Ms. Woodman stated that the Public Works facilities plans will be presented to the Zoning Hearing Board on January 27, 2014 for the variances needed for the development to go forward. She said adjacent property owners have been notified of the upcoming hearing via mail.

Mr. Steele stated that the Wilburdale/Flat Road sanitary sewer pump station serves the corporate center and is one of the oldest stations owned by the Township. It doesn't have a back-up generator and has no additional capacity to handle growth or redevelopment in its drainage basin. Mr. Steele said he will be approaching Glasgow for an easement on property on the southwest corner of this intersection to build a new station. PADEP will require a Special Study to show why there is a need for additional capacity. Mr. Holmes made a motion to authorize Mr. Steele to seek an easement from Glasgow for a new pump station. Ms. McMichael seconded and the vote was unanimous.

Phase 2 of Mill Lane sewer project is almost complete up to Moores Road. Residents have been notified about connecting their lateral to the sewer system.

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 December 31, 2013. Ms. McMichael seconded the motion and the vote was unanimous. The Treasurer's Report balance totals as of December 31, 2013 are as follows:

General Fund	\$ 5,001,986.22
Street Light Fund	18,239.20
Sewer Fund	2,865,773.39
Sewer Fund Reserve	6,770,360.84
Park Development Fund	324,454.69
Capital Improvement Fund	2,227,000.23
Dare Fund	(115.63)
State Fund	102.82

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Ms. McMichael made a motion for approval of General Fund Voucher No. 2014-1G, Sewer Fund Voucher No. 2014-1S, and Payroll Fund Voucher Nos. 2013-26 and 2014-01 which included two check runs. Mr. Mott seconded the motion and the vote was unanimous. Mr. Mott wished to note that there needs to be a discussion on the contributions to the Fire Company.

PLAN

380 Lapp Road – C. Charles Burch The plan was presented by Jack Robinson, PE and Sheena Alston representing Charles Burch. The property is zoned O/BP – Office/Business Park. The owners are seeking to reconfigure the parking lot which serves an existing building and to designate an area for outdoor storage for large parts manufactured by the company. Mr. Robinson stated that approval was received from the Zoning Hearing Board for the outdoor storage. His client will provide buffering and fencing along the rear of the property line. The Zoning Board also granted the variance from the 20 ft setback requirement. He stated that they will maintain all the wooded vegetation to the north of the driveway. The denseness and steep slopes will also provide buffering.

Mr. Mott made a motion to approve the Preliminary/Final Plan of C. Charles Burch for the reconfiguration of a parking lot and designation of an area for outdoor storage for the property at 380 Lapp Road in the O/BP – Office/Business Park Zoning District pending satisfactorily completion of all items in Arro's letter, dated January 15, 2014. The motion was seconded by Ms. McMichael and the vote was unanimous.

OLD BUSINESS

Malvern Meetinghouse Restaurant update – Mr. Lincke advised that the attorney for TD Bank will list the property for Sheriff's sale in February. Mr. Laconi, 10 Coffman Street, asked if the bank has been approached relative to the condition of the property. Mr. Lincke responded that the bank's attorney understands that the Township is interested in cleaning up the site.

NEW BUSINESS

Ms. Woodman stated that the Solicitor to the East Whiteland Township Zoning Hearing Board presented a letter, dated October 16, 2013, to her concerning a property called Karen's K9 Care at 459 Lancaster Avenue which is zoned VMX – Village Mixed Use. Members of the Zoning Hearing Board are suggesting that the property on the north side of Route 30 west of Church Road be rezoned to FC-Frontage Commercial District. This letter has been reviewed by the Planning Commission at two meetings and they voted unanimously to reject the idea of changing the current zoning saying the Village Mixed Use Zoning District is appropriate for this location.

Mr. Mott made a motion to table the idea of rezoning this area pending a review and update to the Township's Comprehensive Plan which should occur later this year. Mr. Lincke stated that no action needs to be taken by the Board at this time.

Motion to award a contract for Geotechnical Engineering Services for the new Public Works - Ms. Woodman stated that we are recommending that the contract be awarded to Pennoni to provide oversight of the project. Arro Engineers, our Township Engineer, does not provide this type of service.

Mr. Mott made a motion to award a contract for Geotechnical Engineering Services for the new Public Works facility to Pennoni Associates for their proposal dated, December 19, 2013. Ms. McMichael seconded and the vote was unanimous.

Motion to award a contract for an "Owner's Representative" for the design and construction of a new Public Works facility. Ms. Woodman advised that six firms were suggested by Bernardon Architect and Requests for Proposals were mailed. Two firms responded and they were IMC and Reynolds. Mr. Steele provided an overview of the two firm's proposals. Discussion ensued.

Mr. Mott made a motion to award a contract for an "Owner's Representative" for the design and construction and post-construction of a new Public Works facility to Reynolds per their proposal, dated January 7, 2014. Ms. McMichael seconded and the vote was unanimous.

Motion to adopt Resolution 8-2014, a restatement of the East Whiteland Township Non-Uniformed Employees' Pension Plan. Ms. Woodman stated that this is to confirm the changes made to the plan document as a result of contract negotiations.

Ms. McMichael made a motion to adopt Resolution 8-2014, a restatement of the East Whiteland Township Non-Uniformed Employees' Pension Plan. Mr. Mott seconded and the vote was unanimous.

Motion to authorizing the advertisement of a public hearing to be held on February 12, 2014 to consider increasing the fees charged to customers of the public sewer system. Mr. Mott made a motion to authorizing the advertisement of a public hearing to be held on February 12, 2014 to consider increasing the fees charged to customers of the public sewer system. Ms. McMichael seconded and the vote was unanimous.

Mr. Holmes stated that residents of Morstein Road requested that a traffic study be done for consideration of a stop sign at College View Road. Ms. Woodman said that this study would be required to meet the warrants of PennDOT for a stop sign application.

Mr. Mott made a motion to authorize Township staff to begin an investigation of a three-way stop at Morstein Road and College View Road. Ms. McMichael seconded and the vote was unanimous.

PUBLIC HEARING

Mr. Becker, Township Engineer, presented a synopsis of the new Stormwater Ordinance. Chester County had adopted a Stormwater Management Ordinance as a model for other municipalities to compare. PA Department of Environmental Protection is requiring adoption by all municipalities. Mr. Becker reviewed the Township's ordinance against what the County Act 167 model incorporated. The provisions provides for more restrictions for small projects as well as prior exempted requests. Therefore, any project greater than 1,000 sq ft of impervious coverage will require management by the Township for adherence to these new regulations. As a result, restrictions were added or deleted to mirror the County document. Discussion ensued relative to the tracking the requirements, inspections, manpower and fees.

Mr. Mott made a motion to adopt Ordinance 250-2014 a Stormwater Management Ordinance deleting the Township's Chapter 170 in its entirety and replacing it with a new Chapter 170 modeled after the County Act 167. Ms. McMichael seconded and the vote was unanimous.

Hearing no further business, the regular meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Maureen G. Perri
Township Secretary