

EAST WHITELAND TOWNSHIP
REGULAR MEETING
April 9, 2014

William Holmes, Chair, called the meeting to order at 7:00 p.m. John Mott, Vice Chair, Virginia McMichael, Member, Vicki Kushto, Township Solicitor, Terry Woodman, Township Manager, Eugene Dooley, Police Chief, Bill Steele, Public Works Director and Maureen Perri, Township Secretary were present. There were twenty (20) people in the audience at the start of the meeting.

Everyone recited the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Mott made a motion to approve the Minutes of the Regular Meeting of March 12, 2014. Mr. Holmes seconded, Ms. McMichael-abstained, and the motion carried. Ms. McMichael made a motion to approve the minutes of February 28, 2014. Mr. Holmes seconded, Mr. Mott-abstained, and the motion carried.

ANNOUNCEMENTS

Mr. Holmes announced the following:

- The first Chester County Household Hazardous Waste Collection Event of 2014 will be held on Saturday, April 12th between 9am and 3pm at the CAT Pickering Campus, 1580 Charlestown Road, Phoenixville, PA 19460. **Electronics will be accepted at this collection event.** For more information on “acceptable” waste check out www.chestercountyswa.org
- Representative Duane Milne is holding a shredding event, an electronics recycling event and a prescription drug take back collection and will also be collecting eye glasses and hearing aids on Saturday, April 26th from 9am to 1pm at Penn State Great Valley, 30 Swedesford Road.
- A TEFRA (Tax Equity and Fiscal Responsibility Act) Hearing will be held in the East Whiteland Township building on Tuesday, April 22, 2014 at 11:30 am.

PUBLIC COMMENT

Martin Costello, 12 Locust Drive – discussed the snow storm of February 9, 2014 which resulted in his receiving a ticket. He mentioned that the Snow/Ice Emergency Ordinance, specifically Article V, calls for vehicles to be removed during “snow and ice emergencies”. He stated that no “emergency” had been declared. He appealed the ticket he received before a District Justice and won his appeal. He feels that the Township needs to implement a better method of notifying residents of emergencies and make changes to the Ordinance. Discussion ensued.

Mr. Holmes reiterated that the primary concern of the Township is to clear the roads for the public’s safety. Ms. McMichael expressed that there were two issues to be reviewed: 1) existing language of the Ordinance and 2) recommend ways of communicating better with residents.

Gail Keyes – 455 Lancaster Avenue – was inquiring about the status of any updates to the Noise Ordinance which she asked the Board to consider. Mr. Holmes said that he was advised to obtain a copy of the Dog Ordinance of West Bradford Township. Mr. Holmes directed our Solicitor to review this Ordinance relative to barking dogs. He stated that this item will be placed on Old Business.

Additionally, Ms. Keyes again, mentioned that Mr. Rizzo is constructing a fence on the property and it’s encroaching onto the adjoining property. Her opinion is that this is in violation of the Zoning Order. She also stated that there are materials dumped on this property and it is an eyesore for her. She expressed her frustration with this business.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND TOWNSHIP OFFICIALS

Gary Sheridan, Fire Chief advised that there were 122 responses made by the Fire Company during the month of March. Mr. Sheridan asked that a committee be established to setup an Operation Agreement. He was advised that the first priority is the financing for the new firehouse.

Mr. Tim Caban, Chairman, Historical Commission and Jeff Dore were present to request approximately \$3,500 in funds from the Board to be used to hire a consultant to develop specifications and costs estimates for repairs to the Gunkle Mill. They said that several years ago, the Commission was advised that the Mill was structurally deficient. Mr. Dore stated that the floor load has been compromised.

Mr. Mott made a motion to authorize the expenditure not to exceed \$4,000 to prepare cost estimates and bids materials to be prepared by Milner Structural Design for the necessary repairs to the Gunkle Mill. Ms. McMichael seconded the motion and the vote was unanimous.

Park & Recreation Board – Adam Beck submitted an application for a vacancy which exists on this Board and he is supported by the Chairman. Mr. Mott made a motion to appoint Adam Beck to the Board for the remainder of the term left vacant by Mr. Dempsey. The motion was seconded by Virginia McMichael and the vote was unanimous.

Ms. Woodman, Township Manager advised that the school district and the member municipalities are considering the distribution of a quarterly magazine. The magazine publishes school schedules and other activities in the District. The costs are covered through ads placed in it. She mentioned that school district will oversee control of the type of advertisement. There would be no cost to the township. Our only requirement is to submit information or articles for publication. The Board agreed that this is a beneficial item and directed Ms. Woodman to proceed with the vendor.

Ms. Kushto, Solicitor, addressed the Township's appeal against the CubeSmart development. She advised the Board that they need to direct the Solicitor to withdraw the appeal since the Board no longer wishes to proceed against the developer. Mr. Holmes stated that he has worked with residents and CubeSmart and has negotiated an agreement for this site.

Mr. Mott made a motion to direct the Solicitor to withdraw the appeal filed by the Board relative to the Zoning Hearing Board's decision for the CubeSmart development. Ms. McMichael seconded and the vote was unanimous.

Ms. Woodman asked the Board to consider a policy submitted to them regulating the number and locations of charity runs within the Township. The Board asked that this be listed on the May agenda for consideration. Ms. Woodman received permission from the Board to notify non-profit organizations that they may no longer hang banners on Township property at Mill Lane and Conestoga Road. Ms. McMichael suggested that a service called "Constant Comment" be explored for communications to residents.

Ms. Woodman advised the Board that Act 205 Actuarial Valuation documents for the Township's pension plans have been filed with the State in a timely manner.

Mr. Steele advised that three storm sewer inlets have been added on Sidley Road. None existed prior to this. This will improve drainage and has been completed in anticipation to repaving the road this spring.

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 March 31, 2014. Ms. McMichael seconded the motion and the vote was unanimous. The Treasurer's Report balance totals as of March 31, 2014 are as follows:

General Fund	\$ 4,849,805.98
Street Light Fund	27,667.24
Sewer Fund	3,426,073.91
Sewer Fund Reserve	6,094,217.89
Park Development Fund	324,483.11
Capital Improvement Fund	2,160,892.95
State Fund	262,478.43

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Mr. Mott made a motion for approval of General Fund Voucher No. 2014-4G, Sewer Fund Voucher No. 2014-4S, and Payroll Fund Voucher Nos. 2014-07, 2014-08 which included two check runs. Mr. Holmes seconded the motion and the vote was unanimous.

OLD BUSINESS

Malvern Meetinghouse Restaurant update – Ms. Kushto advised that the property (536 Lancaster Avenue) owned by TD Bank were notified of the violations that exist and will correct these issues. They will have the lot cleared of debris; the building secured and the property cordoned off prior to demolition.

Property at King/Morstein Road – Ms. Kushto stated that the property owner's attorney has been notified concerning his client's wish to add a new driveway. They were informed that all necessary permits would be required before any construction could be granted.

Intersection at Collegeview/Morstein Road – Ms. Woodman mentioned that there is some consideration to install of a three way stop sign at this location. McMahon Associates will need to conduct a traffic count to see whether it warrants this type of traffic control. Ms. Woodman hoped that the results would be available for the Board's May meeting.

NEW BUSINESS

Motion to Adopt Resolution No 11-2014 - Authorizing the Township Manager to sign an PennDOT ARLE application. This grant will provide funds to allow the installation of an adaptative signal system along Route 30. Mr. Mott made a motion to authorize the Township Manager to sign a PennDOT ARLE grant application. Ms. McMichael seconded and the vote was unanimous.

Motion to authorize the acceptance of bids on May 6, 2014 for the installation of traffic signal equipment being funded by an ARLE grant. The award is to be made at the Board meeting on May 14, 2014. Ms. McMichael made the motion to authorize the advertisement of the bid to be awarded on May 14, 2014. Mr. Mott seconded and the vote was unanimous.

Discussion of the creation of an East Whiteland Township Youth Aid Panel – Chief Dooley explained that juveniles would be permitted to be reviewed by a panel of experienced volunteers as opposed to being processed through the court system. Typically, the types of incidents are those which are non-violent, retail theft, curfew violations and other minor acts. The adolescent and parent must agree to adhering to the decision of the panel. Mr. Holmes made a motion authorizing staff to create of a Youth Aid Panel for East Whiteland Township. Ms. McMichael seconded and the vote was unanimous.

Resolution No. 12-2014 authorizing the destruction of Specific Township Records. Mr. Mott made a motion to adopt Resolution No. 12-2014 authorizing the destruction of Specific Township Records listed in the resolution. Ms. McMichael seconded and the vote was unanimous.

The current meeting of the Board was suspended at 8:15 pm.

PUBLIC HEARING

The hearing to consider the Conditional Use application was opened at 8:18 pm.

Mr. Holmes made a motion to continue the Conditional Use application of H. A. Steen to install a digital sign at 49 W. Lancaster Avenue in an O/BP – Office Business Park Zoning District to the May 14, 2014 meeting of the Board. Mr. Mott seconded and the vote was unanimous.

The hearing on this Conditional Use application continuance was closed at 8:20 pm.

The following hearings were opened by the Board at 8:21 pm:

A Public Hearing to consider an amendment to the East Whiteland Township Zoning Ordinance changing Section 200 – 19 to add “passive recreation” as a permitted use in all residential zoning districts.

A Public Hearing to consider the approval of an inter-municipal transfer of a Restaurant Liquor License for use at Lincoln Court shopping Center, 215 Lancaster Avenue.

A Public Hearing to consider an Ordinance authorizing the incurrence of lease rental debt by the Township and approving a Guaranty Agreement on behalf of the Volunteer Fire Association

Notes of testimony were taken for the above hearings. The hearings were closed at 11:30 pm.

Respectfully submitted,

Maureen G. Perri, Township Secretary