

EAST WHITELAND TOWNSHIP
REGULAR MEETING
October 14, 2015

William Holmes, Chair, called the meeting to order at 7:00 p.m. John Mott, Vice Chair, William Wrabley, William Lincke, Esquire, Township Solicitor, John Nagel, Township Manager, Gene Dooley, Police Chief, Bill Steele, Public Works Director, 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 September 9, 2015 meeting. Mr. Wrabley seconded and the vote was unanimous.

ANNOUNCEMENTS

East Whiteland Volunteer Fire Company will be holding an Open House on Saturday, October 17th from 1-4 pm at Conestoga Road and Mill Lane.

The Board of Supervisors will meet on Monday, November 9, 2015 instead of November 11th due to the Veterans Day Holiday.

Aqua Pa will be upgrading their infrastructure in East Whiteland beginning September 8th with a completion date in January 2016. Contact Aqua Customer Service at 877-987-2782 for issues concerning emergencies or water quality

SWEARING IN OF FIRE POLICE OFFICER

Mr. Holmes conducted the swearing in of Anthony DiPiano as a new Fire Police Officer for the East Whiteland Volunteer Fire Association.

PUBLIC COMMENT

Jay Palash – Doe Lane questioned the configuration of the exit ramp of Route 202 North at Route 401. Chief Dooley advised him that they will return the ramp to its former configuration so that Route 401 eastbound traffic will not be impacted by the new traffic signal. He also questioned the work on the Deer Run connector path. Mr. Steele advised that the contractor will return to do the grading.

Robert Milton – Deer Run Lane – questioned the work being done on the Deer Run connector path. He is concerned with the safety, stormwater issues and cost of the project. Mr. Milton asked that the diesel pump at Deer Run pump station be replaced. Discussion ensued

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND TOWNSHIP OFFICIALS

Gary Sheridan, East Whiteland Fire Association provided the statistics for the month of September: there were 132 responses with 66 fire and 66 medical. Also, during that month there were 17 overlapping incidents.

Gary Sheridan representing the EAC stated that they have contacted the CDC to do an AST study which will re-evaluate the Bishop Tube property since the site use has changed from the last study.

Mr. Steele, Public Works Director, stated that the Conestoga Road Sewer project is complete.

Mr. Steele stated that the Public Works building is nearing completion. The contractor for the site was having difficulty performing the paving. Reynolds, site contractor, is pulling that item from their scope and they will be hiring another contractor to perform the paving.

PECO has informed him that they received their approval from DEP. He is waiting for them to begin working on the connection to the new building.

John Nagel, Township Manager, provided a township map to show the areas in the municipality where development is underway. His hope is to get an interactive map on the township's website whereby residents can click on their neighborhood to see the projects.

Mr. Holmes mentioned that the Comprehensive Plan Task Force advised that they will be scheduling a community workshop to present the status to date and what they believe are the priorities for the township.

ACCEPTANCE OF THE TREASURERS REPORT

Ms. Palmer, Finance Director announced that due to delays in projects that the permit fees are off by 32% as are the sewer tapping fees. She stated that the earned income tax revenue is on target and operating expenses are on target. Mr. Mott made a motion to accept the Treasurer's report of August 31, 2015. Mr. Wrabley seconded and the vote was unanimous.

RATIFICATION OF BILLS

Mr. Wrabley made a motion to ratify the payment of bills and payroll of October 14, 2015. Mr. Mott seconded and the vote was unanimous.

OLD BUSINESS

Mr. Nagel stated that Malvern Meetinghouse has been sold and that the new owner plans to construct a state of the art Laundromat. Mr. Nagle has met with the new owner.

NEW BUSINESS

a. Motion to award a bid for structural improvements and building maintenance to the Gunkle Mill. Mr. Nagel stated that the Historical Commission stated that they are not in a position to go with Phase 2 of the bid at this time. Their recommendation is to go with Phase 1 at this time. There were three contactors and the lowest bid for Phase 1 repairs was D. Reisinger. Mr. Mott made a motion to award the bid for Phase 1 Gunkle Mill repairs to D. Reisinger in the amount of \$29,345. Mr. Wrabley seconded and the vote was unanimous.

b. Mr. Holmes advised that there is a vacancy currently on the Planning Commission. Residents can obtain an application by going to the Township's website and submitting it to the Township Manager.

c. Discussion of the Valley Creek Trunk Sewer Update - Mr. Nagel reminded everyone that there were three breaks at the Wilson Road trunk line in Valley Forge National Park. Now there is a schedule required by PADEP, EPA, and the National Park Service and by Consent Decree. The lowest bidder for the repairs is from PACT with a cost of \$14.3 million. Tredyffrin Township will consider awarding the bid at their November 4th meeting. East Whiteland is the largest customer and, therefore, it is estimated that the cost to the township will be somewhere between 30-40% of the project. Mr. Donohoe representing Trout Unlimited expressed the need to remedy the repairs to prevent further spills to Valley Creek.

d. Mill Lane Bridge Discharge – This is a negotiated settlement reached with PADEP for a discharge from the township's sewer line. A fine of \$19,000 was agreed upon for this breach. Mr. Mott made a motion to authorize the approval of a settlement agreement with PADEP for the Mill Lane Bridge Discharge dated, September 29, 2015. Mr. Wrabley seconded and the vote was unanimous.

e. Motion to evaluate a Pension plan policy to prevent "Stacking" was drafted. Mr. Nagel read a draft policy developed to prevent such pension plan "Stacking". A trend analysis was prepared by the Finance Director. This review showed that there were no employees who abused their overtime prior to retirement. A copy of the draft policy was given to Mr. Lolla for review. The Board will consider adoption of this policy at the November meeting.

f. Motion to Contract with Equity Appraisal for the Public Works Building - Mr. Wrabley made a motion to accept the contract from Equity Appraisal to provide an appraisal for the Public Works Garage at 158 Planebrook Road. Mr. Mott seconded and the vote was unanimous.

g. Mr. Mott made a motion to advertise the sale of five township vehicles and equipment on Municibid per his memorandum dated, October 15, 2015. Mr. Wrabley seconded and the vote was unanimous.

h. Mr. Holmes made a motion to advertise the Zoning Ordinance Text and Map amendment for Swedesford Partners for rezoning their current property located east of Malvern

Hunt from Industrial to RHM – Medium High Density. Mr. Wrabley seconded and the vote was unanimous.

i. Mr. Holmes made a motion to authorize the advertisement of a hearing for Liberty Property for a Zoning Ordinance Text and Map amendment establishing a new section– GVR Great Valley Revitalization Overlay district on west side of Route 29. Mr. Mott seconded and the vote was unanimous.

j. Motion to enter into an agreement with Arro Consulting for professional services for the Church Road to Mill Lane Sewer Main Extension project. Mr. Steele stated that this would provide the sewer main connection from Whiteland Village to Mill Lane. The section completed by them is from Church Road west to the Whiteland Village site. The developer entered into an agreement with the County to allow them to install piping in the Chester Valley Trail. The remaining section was never finished and the aim is to get a sewer connection to the western end of the Township. As of this date, a meeting with the developer was held, whereby the developer would ask the Township to release escrow funds to complete this project for us. Mr. Mott made a motion to enter into an agreement with Arro Consulting for professional services for the Church Road to Mill Lane Sewer Main Extension project whereby they will prepare designs and costs subject to the approval of the Township Solicitor. Mr. Wrabley seconded and the vote was unanimous.

k. Motion to enter into an agreement with Johnson Development Associates for the “Haven” apartments at the Atwater development to permit the township to release foundation permits. Mr. Battin, Building Official, stated that due to the sanitary sewer capacity issues Johnson Development wishes to be issued the foundation permits with the understanding that they will enter at their own risk. Mr. Wrabley made a motion to enter into an agreement with Johnson Associates for the “Haven” apartments at the Atwater development to permit the township to release foundation permits. Mr. Mott seconded and the vote was unanimous.

l. Motion to approve change orders #2 & #3 for the Conestoga Road Sewer Project. Mr. Steele stated that change order #2 was the result of PennDOT’s requirement to have compaction testing after the contract was awarded. Therefore, an inspection of the compaction was required each day. Change order #2 is in the amount of \$23, 941.00. Change order #3 is for \$61,634.00 which is the result of two collapses on the project. The contractor was on site at the time of these breaks so this is the cost of those repairs. Mr. Mott made a motion to approve change order #2 for compaction testing in the amount of \$23,941 and change order #3 for emergency pipe repairs in the amount of \$61,634.00. Mr. Wrabley seconded and the vote was unanimous

m. Motion to execute an Agreement with Chester County for access to Chester Valley Trail at Deer Run connector path. The County requires that any connection to the Chester Valley Trail be executed by the Township. Mr. Mott made a motion to enter into an agreement with Chester County for access to Chester Valley Trail at Deer Run connection path. Mr. Wrabley seconded and the vote was unanimous.

n. Motion to contract with BL Companies for a Phase 1 Environment Assessment of the Public Works garage at 158 Planebrook Road. This property is intended to be sold and the

Board felt that this assessment was needed for that sale. Mr. Wrabley made a motion to enter into a contract with BL Companies for a Phase 1 Environment Assessment of the Public Works garage at 158 Planebrook Road. Mr. Mott seconded and the vote was unanimous.

The regular meeting was recessed at 8 pm.

PUBLIC HEARING

The hearing was opened at 8:10 pm

Conditional Use Hearing – Haly Oil Parking Lot at 57 Lancaster Avenue

Mr. Robinson stated that the applicant is seeking approval for Conditional Use pursuant to Section 200-57.F(4). The applicant seeks to construct a driveway within a portion of steep slopes which are manmade. He stated that there is a narrow band of steep slopes which the applicant needs to cross through to a PECO easement. The patch of steep slopes exceeds 25% but they will grade the area down to 12% to provide a more drivable path. The tax parcel is 42-4-136. The applicant is proposing to use only 20% of the available easement area.

Mr. Wrabley made a motion to approve the Conditional Use application pursuant to Section 200-57.F(4) for Haly Oil Parking lot at 57 Lancaster Avenue to permit the construction of a driveway within a portion of steep slopes. Mr. Mott seconded and the vote was unanimous.

The hearing convened at 8:20 pm

Conditional Use Hearing – JMP Malvern Associates at Route 29 & Brennan Blvd.

Michael Gill, Esquire stated that Conditional Use Approval is pursuant to Section 200-30 of the Township's zoning. The applicant JMP Malvern Associates entered into a lease agreement with LAMS Dental operating as Smile Exchange. JMP Malvern Associates seeks to permit a dentist's office as part of mixed use development on this property. Smile Exchange will operate in 2800 sq. ft. of space. The tax parcel is 42-4-268.1. Mr. Gill stated that after receiving a building permit for a tenant fit-out his client was advised that Conditional Use Approval is required for a Professional Office in an O/BPS Office Business Park Services zoning district. Any issues concerning traffic will be minimal.

The hearing was closed at 8:33 pm and the regular meeting was resumed.

Mr. Mott made a motion to approve the Conditional Use application for JMP Malvern Associates at Route 29 & Brennan Boulevard to permit LAMS Dental Management offices as part of a mixed use development. Mr. Wrabley seconded and the vote was unanimous.

ADJOURNMENT

Hearing no new business the regular meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Maureen G. Turley
Township Secretary