

EAST WHITELAND TOWNSHIP  
REGULAR MEETING  
November 9, 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. Wrabley made a motion to approve the Minutes of the October 14, 2015 meeting. Mr. Mott seconded and the vote was unanimous.

ANNOUNCEMENTS

The Planning Commission will hold their regular meeting on Wednesday, November 18, 2015 due to the Thanksgiving Day Holiday.

Comprehensive Plan Task Force Workshop will be held at McKenzie's Restaurant from 6 to 8 pm on Tuesday, November 17<sup>th</sup> – residents are encouraged to attend

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

A Recording by Prospective Vendor of the Board of Supervisors meeting.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND  
TOWNSHIP OFFICIALS

Bill Holmes advised that representatives from the East Whiteland Fire Association were unable to attend this evening due to the change in the Board of Supervisors meeting.

Mr. Nagel stated that the search for a Director of Planning and Development has been completed and that an offer has been made. His report had been submitted previously.

Mr. Steele, Public Works Director, stated that the paving is almost complete for the Public Works building. Contractors are working on punch list items. PECO is running a line down Route 401 and will then be able to connect to the Fire Company and new Public Works building.

Ken Battin, Fire Marshal had no report

#### ACCEPTANCE OF THE TREASURERS REPORT

Ms. Palmer, Finance Director asked that the report be accepted as submitted. Mr. Mott made a motion to accept the Treasurer's report of September 30, 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 November 11, 2015. Mr. Mott seconded and the vote was unanimous.

#### OLD BUSINESS

Property Maintenance - Mr. Nagel stated that the prospective owner for Malvern Meetinghouse has backed out of the deal due to restrictions of PADEP. The question was raised whether we could approach TD Bank to demolish the building. Mr. Battin advised that he will be going through the normal channels to address this issue with the owner.

#### NEW BUSINESS

Mr. Holmes stated that there is a vacancy on the Library Board and a resident of the Township has expressed an interest in filling that position. Mr. Mott made a motion to appoint Ellen Cannarsa to the Library Board. Mr. Lincke stated that this appointment would be more appropriate to act on at the Organization meeting which is scheduled for January 4, 2016.

The Planning Commission had a vacancy and Peter Fixler submitted his application to serve. Mr. Holmes made a motion to accept the application of Peter Fixler to fill this opening. He will complete the term of office which will expire on January 8, 2018.

#### NEW BUSINESS

a. Mr. Nagle presented the proposed Preliminary 2016 Budget. He advised there are no new taxes, however, there is a temporary operating deficit in the General Fund until redevelopment takes effect. Copies are available for residents upon request. Discussion ensued.

b. Mr. Nagel stated the Valley Creek Trunk Sewer project cost allocation has been determined. A 1970's agreement existed between partners on the processing the sewer flows. Our flows travel to Tredyffrin Township and they have experienced a couple of breaks within the last few years.

The upgrade to the Wilson Road pump station is expected to begin in June 2016 for a total cost of \$14.2 million. The estimated cost to East Whiteland will be over \$5 million since we are the largest customer.

c. Mr. Michael Wolf provided the information on General Obligation bond financing for our portion of Wilson Road Force Main Rehabilitation project. He stated that the interest rates are favorable right now and are at a 47 year low. Discussion ensued

d. Due to our obligation for the Wilson Road Force Main project, the Board asked Arro Engineers to conduct a sewer rate study. Mr. Mott made a motion to engage Arro Engineers to conduct a sanitary sewer rate study. The study is estimated to cost \$23,400. Mr. Wrabley seconded and the vote was unanimous.

e. Mr. Lincke, Township Solicitor, stated that this addendum is for Atwater's Sewage Capacity agreement with Tredyffrin Township to allow for additional sewer capacity through their system. They were originally allotted a certain amount of gpd (gallons per day). This agreement permits their East Whiteland conveyance to Tredyffrin. Mr. Wrabley made a motion to approve the Addendum to the Sewage Capacity Agreement for RLD Atwater project as stated in the November 3, 2015 letter from Riley, Riper Hollin & Colagreco. A copy is attached. Mr. Mott seconded and the vote was unanimous

f. Mr. Nagel advised that Requests for Proposals were received from several accounting firms to conduct our annual audit for the 2015. He suggested that Maille be appointed for the general audits for the calendar years 2015, 2016, and 2017. Mr. Mott made a motion to appoint Maille to conduct the financial audits for the calendar years 2015, 2016 and 2017. Mr. Wrabley seconded and the vote was unanimous.

g. Motion to advertise a public hearing for December 9, 2015 for 9 Malin Development formerly Bishop Tube. Mr. Colagreco advised that the proposal for the development would be unable to go forward because our current ordinance does not allow for attached residential unit in steep slope areas in an RRD – Residential Revitalization Zoning District. He mentioned that the areas of steep slopes on this property were manmade to enable employee parking. Mr. Holmes stated he would like more information on where the steep slopes are, the number of units effected and status of the contamination cleanup. Discussion ensued.

Mr. Mott made a motion to advertise a public hearing for December 9<sup>th</sup> for 9 Malin Road Development for a Zoning Ordinance text amendment to permit single family attached dwellings and townhouses in rows of more than six units in areas of steep slope and very steep slopes in the RRD – Residential Revitalization district. Mr. Wrabley seconded and the vote was unanimous.

h. Mr. Holmes made a motion to authorize the advertisement of a public hearing for December 9<sup>th</sup> amending the SALDO to add a definition of "Professional Consultants" and Sections 175-15B & 175-18-C for review of fee agreements of land development plans. Mr. Wrabley seconded and the vote was unanimous.

i. Mr. Holmes stated that a resident expressed concern about “Stacking”. It is a pension practice whereby employees try to increase their benefits by adding overtime. Mr. Nagel stated that a review has not turned up an abuse issue here.

j. Mr. Steele advised that there is an old stone culvert on North Bacton Hill Road which has deteriorated and is causing roadway issues. Mr. Steele is recommending that the project be awarded to Peirce Homes Limited d/b/a C & R Outdoor Services. The cost of the repairs amounts to \$20,445. Mr. Wrabley made a motion to award a contract to Pierce Homes Limited d/b/a C & R Outdoor Services in the amount of \$20,445. Mr. Mott seconded and the vote was unanimous.

k. Mr. Lincke, Township Solicitor, stated that a request has been made by Liberty Property for 6 Great Valley Parkway office development that the Township enter into a Foundation Agreement which the Township has granted to other projects. Mr. Battin, Building Official, stated he was in agreement with the request. Mr. Holmes made a motion to approve entering into a Foundation Agreement and the related Indemnification Agreement to allow Liberty in a form satisfactory to the Township. Mr. Wrabley seconded and the vote was unanimous.

l. Mr. Holmes advised that the East Whiteland Volunteer Fire Association is seeking a waiver of fees for their application for a variance before the Zoning Hearing Board. Mr. Mott made a motion to waive the Zoning Hearing Board fee for their application to move a shed onto the new property. Mr. Wrabley seconded and the vote was unanimous.

The regular meeting was recessed at 8:55 pm.

#### PUBLIC HEARING

The hearing was opened at 9:05 pm

Mr. Colagreco stated that this is a continued hearing for Swedesford Partners request for a Zoning Ordinance Text and Map amendment to rezone their property located in an I-Industrial district to RMH – Medium High Density Residential district east of Malvern Hunt for a new townhouse development. He stated that the only change is to increase the setback from 40 feet to 70 feet where it abuts the Williams property. They also have agreed to add to the Homeowners documents a disclosure concerning this gas line company operations.

This hearing was closed at 9:17 pm.

Mr. Mott made a motion to approve the Swedesford Partners request for a Zoning Ordinance Text and Map amendment to rezone their property located in an I-Industrial district to RMH – Medium High Density Residential district east of Malvern Hunt for a new townhouse development. Mr. Wrabley seconded and the vote was unanimous.

The hearing was opened at 9:18 pm.

Mr. Colagreco stated that this is a continued hearing to consider an Ordinance Text and Map amendment for Liberty Property creating a new zoning district known as Great Valley Revitalization (GVR). Meetings have been held with the residents and Glasgow concerning this project. Some consideration made as a result of these meetings are:

FAR (floor area ratio) reduced from .60 to .55;  
Retail space use permitted 1.0 FAR;  
Maximum impervious coverage reduced to 55% but with consideration to allow a bonus up to 60% for stormwater management;  
Maximum building height is limited to 115 feet.

The public hearing closed at 9:30 pm

Mr. Wrabley made a motion to approve the Zoning Ordinance Text and Map amendment for Liberty Property creating a new zoning district known as Great Valley Revitalization (GVR) as outlined in the Riley Ripper Hollin & Colagreco document with reference number 489489.20. Mr. Mott seconded and the vote was unanimous.

#### ADJOURNMENT

Hearing no new business the regular meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Maureen G. Turley  
Township Secretary