

EAST WHITELAND TOWNSHIP
REGULAR MEETING
February 11, 2015

William Holmes, Chair, called the meeting to order at 7:05 p.m. John Mott, Vice Chair, William Wrabley, Member, Bereth Graeff, Township Solicitor, Terry Woodman, Township Manager, Gene Dooley, Police Chief, Cathy Palmer, Finance Director, Bill Steele, Public Works Director and Maureen Perri, Township Secretary were present. There were fifteen (15) 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 Organizational meeting of January 5, 2015 and the Regular Meeting of January 14, 2015. Mr. Wrabley seconded and the vote was unanimous.

ANNOUNCEMENTS

- The Township Building will be closed on Monday, February 16 in observance of Presidents Day.
- Reconstruction of the Conestoga Road Sewer Main has begun along Rt. 401 in the vicinity of Peoples' Light and Theatre and will continue until July 2015. Road closures will occur between the hours of 9am and 3pm. All traffic detour signage will be set up to divert the traffic onto PA state roads and not through local neighborhood roads.
- The first meeting of the Township's Comprehensive Planning Task Force will be held on February 19th at 7:30 p.m.

SPECIAL PRESENTATION TO POLICE DEPARTMENT

Christian Zajack, Asst. Special Agent in Charge, Federal Bureau of Investigation and Michael O'Brien, FBI Supervisor from Newtown Square office acknowledged the cooperative teamwork with the East Whiteland Township Police Department. He outlined cases where this cooperative investigation between the agencies resulted in apprehending and charging violators.

The police officers who received Citations were: Sgt. Anthony Falgiatore, Sgt. James Smith, Sgt. Patrick Mitchell, Sgt. Stephen Stefanski, Detective Patricia Doyle and Detective John Kopacz.

Mr. Zajack presented to the Police Department a plaque in recognition of their investigative assistance to the Federal Bureau of Investigation.

PUBLIC COMMENT

None

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND
TOWNSHIP OFFICIALS

Ken Hurley, Chief of the EWT Volunteer Fire Association, advised that they responded to 126 calls, 54 fire and 72 medical incidents for January.

Bill Steele – Public Works facility – advised that construction is ongoing, however, they have had unstable soils appear under the footing do to wet conditions. Also, he stated that the sewer construction on Route 401 has begun.

Mark Harman, ARRO Engineers – spoke relative to the last MS4 permitting cycle and the enforcement which is done through Code enforcement oversight and the stormwater inspections performed a couple of time a year. The Township’s adoption of Ordinance No. 250-2014 bringing the Stormwater Ordinance into compliance with the Chester County Act 167 recommended Ordinance. The new document gives the Township the ability to look at water quality and improves runoff rates. This adoption provides a remedy for enforcement action which the Township didn’t have in the past. The next MS4 permitting cycle will deal with reporting incidents and how to document the violation. The MS4 report will be due in June to DEP. This reporting mandate began with the Clean Water Act of 1972.

Township Manager – Ms. Woodman advised that PADEP requested that the Township force a mobile home park to connect to public sewer. The Township funding for this mandate does not exist. Failure to comply will probably result in another fine. On another matter, the Township appealed a fine by DEP for leak under Route 202. In February, DEP forwarded notification to the Township that the fine remains, which is \$25,976. This issue has been given to the Solicitor for further review.

ACCEPTANCE OF THE TREASURER’S REPORT

Ms. Woodman summarized the Treasurer’s Report. Mr. Wrabley made a motion to accept the Treasurer’s Report dated January 31, 2015. Mr. Mott seconded the motion and the vote was unanimous. The Treasurer’s Report balance totals as of January 31, 2015 are as follows:

General Fund	\$ 5,095,199.17
Street Light Fund	21,175.44
Sewer Fund	3,159,857.00
Sewer Fund Reserve	6,620,331.64
Park Development Fund	314,689.22
Capital Improvement Fund	9,196,746.56

State Fund

109.52

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Mr. Mott made a motion to approve General Fund Voucher No. 2015-2G, Sewer Fund Voucher No. 2015-2S, and Payroll Fund Voucher Nos. 2015-3, and 2015-4, which included two check runs. Mr. Wrabley seconded the motion and the vote was unanimous.

PLANSPreliminary Land Development Plan – 20 Moores Road – Building 4 & 5

Mr. Eli Kahn stated that in 2002 Preliminary approval was given by the Board of Supervisors for the additional square footage to be built at the former Aegon property, however, the plans were never finalized and those buildings were never built. Therefore, he is requesting re-approval of the Preliminary Plan. The revised plans do comply with the Township's updated stormwater requirements. The property is located on Moores Road and Sidley Road in a PO – Professional Office Zoning District. Building 4 is proposed to be 80,000 sq. ft. of office space. Mr. Kahn mentioned that they intend to move this building closer to Rt. 202 on what is currently a parking lot. Building 5 will comprise about 117,000 sq. ft. of office space. Mr. Kahn stated that they will hold in reserve 137 parking spaces due to an overabundance of parking. There is a commitment of \$300,000 for off-site traffic improvements which he feels should be used for improvements to the intersection of Phoenixville Pike and Sidley Road that would include turning lanes from Phoenixville Pike onto Yellow Springs Road and Sidley Road.

Mr. Mott made a motion to approve the Preliminary Plan submitted for 20 Moores Road Associates for buildings 4 & 5 totaling 198,000 sq. ft. and showing 137 parking spaces being held in reserve. The property is bounded by Moores Road, Sidley Road, Rt. 401 and Rt. 202 in a PO - Professional Office Zoning District. Mr. Wrabley seconded and the vote was unanimous.

OLD BUSINESS

Malvern Meetinghouse Restaurant update – Ms. Graeff stated that it is scheduled for Sheriff's sale in May.

Status of Birch Road Property – Mr. Reed stated that our injunction will permit the Township to contract with a structural engineer for an inspection. Also, the abandoned vehicle has been removed.

NEW BUSINESS

Mr. Holmes made a motion to advertise a public hearing to be held on Wednesday, March 11, 2015 to consider a Conditional Use application filed by APG, The Valley, for a subdivision in the R-1 Residential Zoning District for a property at 99 Church Road between the Chester Valley Trail and Route 202. Mr. Mott seconded and the vote was unanimous.

Mr. Holmes made a motion to authorize the advertisement of a public hearing to be held on Wednesday, March 11, 2015 to consider an amendment to the RRD – Residential Revitalization Zoning District, filed by Constitution Drive Partners, LP. Mr. Wrabley seconded and the vote was unanimous.

Mr. Holmes made a motion to authorize a public hearing to be held on Wednesday, March 11, 2015 to consider the application of Brandywine Realty Trust to amend the Corporate Gateway Overlay Zoning District to permit mixed use development. Mr. Mott seconded and the vote was unanimous.

Mr. Holmes made a motion to authorize the advertisement to receive bids for Phase 1 of repairs to the Valley Creek Farm House. Mr. Mott seconded and the vote was unanimous.

Ms. Woodman stated that the contract with AFSCME has been negotiated with the union to cover the period of 1/1/2015 through 12/31/2018. She summarized the changes in this contract from the prior one. This Union includes clerical and public works employees. Mr. Wrabley made a motion to enter into a contract with AFSCME for the period of 2015 through 2018. Mr. Mott seconded and the vote was unanimous.

Mr. Mott made a motion to adopt Resolution 9-2015 amending the Non-Uniform Pension Plan. This amends the changes negotiated as a result of the AFSCME contact which permits a DROP program for the AFSCME Union employees. Mr. Wrabley seconded and the vote was unanimous.

Motion to award a gasoline bid for 2015. Mr. Steele stated that the Township requested that bidder provide a wholesale rack price as of a specific date plus the cost of fuel. Three bids were received with the lowest bidder being Reilly & Sons. Mr. Steele is recommending Reilly & Sons per his memorandum dated February 4, 2015. Mr. Mott made a motion to award the bid for gasoline to Reilly & Sons per Mr. Steele's memorandum, a copy of which is attached hereto. Mr. Wrabley seconded and the vote was unanimous.

Ms. Woodman advised that the Township is applying for another Automated Red Light Enforcement (ARLE) grant for traffic signal improvements. PennDOT requires authorization from the Board of Supervisors to permit the Township Manager to sign this application. Mr. Mott made a motion to authorize Resolution 10-2015 permitting the Township Manager to sign applications for ARLE grants. Mr. Wrabley seconded and the vote was unanimous.

PUBLIC HEARINGS

The regular Board meeting was recessed 8 pm for the following Public Hearings:

At 8:06 pm the Board opened a continued Conditional Use Hearing to consider an application filed by Richard M. Haly to allow construction of a utility through an area of steep slopes. The hearing was closed at 8:20 pm and the regular meeting was reopened. A Motion was made by John Mott to approve the requested Conditional Use with the condition that the pipe installed be sufficiently flexible to handle shifting of the ground. Bill Wrabley seconded the Motion and it was approved unanimously. Notes of Testimony were taken by Elaine Parish.

At 8:22 pm, the Board opened a continued Conditional Use Hearing to consider the application filed by RLD Atwater JV, LLC for the construction of a hotel on a portion of the property on the east side of Rt. 29 immediately north of the intersection of Atwater Blvd. and Flat Rd. At the request of attorney Lou Colagreco, the Hearing was continued to the March 11th meeting of the Board of Supervisors to allow for comment from another Township property owner. Notes of Testimony were taken by Elaine Parish.

ADJOURNMENT

Hearing no new business the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Maureen G. Perri, Township Secretary